

MEMORANDUM ENDORSEMENT

Mid-Hudson Anesthesiologists, P.C. v. St. Luke's Cornwall Hospital, et al

24-cv-4740-NSR

The existing motion briefing scheduled is vacated (ECF No. 23). Plaintiff shall file its Amended Complaint (which would become the operative complaint) on or before January 10, 2025. Defendants St. Luke's Cornwall Hospital, Montefiore Health System, Inc., and Montefiore Medical Center ("Defendants") shall have until February 7, 2025, to respond to the Amended Complaint (to file an answer or to inform the Court of Defendants' intention to move to dismiss the Amended Complaint).

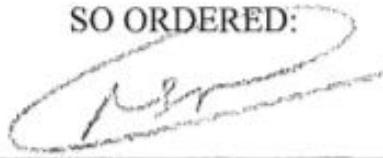
In the event Defendants choose to move to dismiss, the parties shall adhere to the following briefing schedule: Defendants' motion papers shall be served (not filed) February 24, 2025; Plaintiff's opposition papers shall be served (not filed) March 26, 2025; and Defendants' reply papers shall be served April 10, 2025. All motion papers are to be filed on the reply date, April 10, 2025. The parties are also directed to send via electronic mail to the Court courtesy copies of the motion papers as they are served.

Should Defendants choose not to file a motion to dismiss, the parties are directed to confer and submit a case management plan (attached) on or before March 14, 2025.

Dated: December 30, 2024

White Plains, NY

SO ORDERED:



NELSON S. ROMÁN
United States District Judge

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Rev. Jan. 2012

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**CIVIL CASE DISCOVERY PLAN
AND SCHEDULING ORDER**

Plaintiff(s),
- against -

Defendant(s). _____ CV _____ (NSR)

-----X

This Civil Case Discovery Plan and Scheduling Order is adopted, after consultation with counsel, pursuant to Fed. R. Civ. P. 16 and 26(f):

1. All parties [consent] [do not consent] to conducting all further proceedings before a Magistrate Judge, including motions and trial, pursuant to 28 U.S.C. § 636(c). The parties are free to withhold consent without adverse substantive consequences. (If all parties consent, the remaining paragraphs of this form need not be completed.)
2. This case [is] [is not] to be tried to a jury.
3. Joinder of additional parties must be accomplished by _____.
4. Amended pleadings may be filed until _____.

5. Interrogatories shall be served no later than _____, and responses thereto shall be served within thirty (30) days thereafter. The provisions of Local Civil Rule 33.3 [shall] [shall not] apply to this case.
6. First request for production of documents, if any, shall be served no later than _____.
7. Non-expert depositions shall be completed by _____.
 - a. Unless counsel agree otherwise or the Court so orders, depositions shall not be held until all parties have responded to any first requests for production of documents.
 - b. Depositions shall proceed concurrently.
 - c. Whenever possible, unless counsel agree otherwise or the Court so orders, non-party depositions shall follow party depositions.
8. Any further interrogatories, including expert interrogatories, shall be served no later than _____.
9. Requests to Admit, if any, shall be served no later than _____.
10. Expert reports shall be served no later than _____.
11. Rebuttal expert reports shall be served no later than _____.
12. Expert depositions shall be completed by _____.
13. Additional provisions agreed upon by counsel are attached hereto and made a part hereof.
14. **ALL DISCOVERY SHALL BE COMPLETED BY _____.**

15. Any motions shall be filed in accordance with the Court's Individual Practices.
16. This Civil Case Discovery Plan and Scheduling Order may not be changed without leave of Court (or the assigned Magistrate Judge acting under a specific order of reference).
17. The Magistrate Judge assigned to this case is the Hon. _____.
18. If, after entry of this Order, the parties consent to trial before a Magistrate Judge, the Magistrate Judge will schedule a date certain for trial and will, if necessary, amend this Order consistent therewith.
19. The next case management conference is scheduled for _____, at _____. (The Court will set this date at the initial conference.)

SO ORDERED.

Dated: White Plains, New York

Nelson S. Román, U.S. District Judge